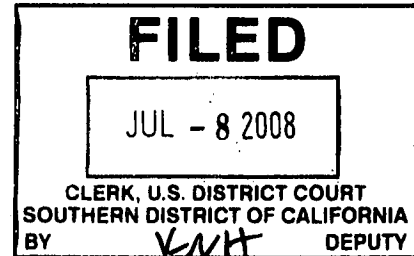


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JUL - 1 2008



1 Patience Thornburg
Claimant
2 1293 Vine St.
El Centro Ca 92243
3 Telephone: (760)604-1698
Telephone: (760)234-2134
4 Email: princess.patience1@yahoo.com

5 Claimant Of Defendant
One 2002 Mercedes Benz C32
Ca License 5WFJ559
6 Vin wdbrf65jx2f226748
Its Tools And Appurtenances
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10 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
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13 UNITED STATES OF AMERICA,) CIVIL No. 08 CV 0035 DMS WMc
14)
Plaintiff,) CLAIM OF INTREREST
15 vs.) AND ANSWER
16)
ONE 2002 MERCEDES BENZ C32,)
17 CA LICENSE NO. 5WFJ559,)
VIN WDBRF65JX2F226748,)
ITS TOOL AND APPURTENANCES)
18 Defendant.)

19 By way of claim of interest and answer on the behalf of the Defendant, One
20 2002 Mercedes Benz C32 (hereinafter "defendant vehicle"), the claimant Patience
21 Thornburg alleges:

22 1. The interest I Patience Thornburg (hereinafter "claimant") have in
23 the defendant vehicle is registered ownership. I purchased the defendant vehicle
24 to transport my family members and self for daily activities.

25 2. In January 2007, I claimant called Imperial Valley Probation
26 Department to request help or advice. Latter claimant received a phone call from
27 officers asking claimant to meet with them and they would try to help me. I had
28 met with them when they would call claimant to meet with the agents.

1 In March 2007, the agents wanted to setup an undercover narcotic purchase
2 between Pablo Avelar and an undercover agent. Claimant explained to the agents
3 that Avelar was no longer involved in narcotic sales. One of the agents Steve
4 Epperson seemed upset agent then replied to claimant that they needed claimant to
5 help them conduct a narcotic purchase from Avelar. Agent Epperson wanted to know
6 how much money did Avelar need to get started in sales again. Claimant then
7 realized they were not trying to help. Claimant meet with the agents again and
8 was given money and instructed to purchase methamphetamine give it to Avelar and
9 to try to have Avelar deliver the methamphetamine to an undercover agent. The
10 agents wanted the controlled substance delivered in defendant vehicle. Avelar
11 never exchanged narcotics with the undercover. The agents plan failed however
12 they told claimant she did a good job. Claimant once again explained that Avelar
13 was not involved in narcotic sales and that's why there plan did not work. Agents
14 insisted on doing more buys hoping to have Avelar exchange narcotics with the
15 undercover agent. Claimant told the agents she did not want to continue with
16 these sales. The agents knew Avelar was not supplying the controlled substance
17 but still continued.

18 2. In August 2007, agent Epperson served claimant with a subpoena to a
19 grand jury. Claimant was told by agent Epperson and prosecuting attorney John
20 Willis that claimant was not allowed to have an attorney present. When claimant
21 was asked to take the bench prosecuting attorney asked several questions to
22 claimant about Avelar to charge Avelar with sales.

23 3. On August 2007, officers searched two separate properties were Avelar
24 lived along with the defendant vehicle and found no narcotics. Avelar was also
25 searched officers found no narcotics.

26 4. On March 2007, the defendant vehicle was used to deliver a controlled
27 substance conducted by the Narcotic task Force. With the governments money
28 claimant was instructed to purchase methamphetamine and have Avelar drive
claimant to the undercover agent in the defendant vehicle. These sales were

1 conducted by the government not by Avelar. Without the government money and the
2 persistence of the agents these sales would have never accrued. Claimant was
3 assisting the agents out of fear. At one time agent Epperson and co agent advised
4 claimant if she did not continue to assist the agents she would be put away in
5 Federal Prison were no one would know were she was and that she would never see
6 her kids again. Epperson had also told claimant that they have put to much money
7 and time into this case to drop it.

8 5. The defendant vehicle was purchased with honest legal proceeds. Julie
9 Thornburg (hereinafter Thornburg) claimants mother obtained a loan on her
10 property. Thornburg gave claimant a large amount of money to pay claimants
11 mortgage to prevent foreclose. Claimant daughter of Thornburg went out and
12 purchased the defendant vehicle. Thornburg and claimant have document to prove
13 were the proceeds came from and copies of the checks From Thornburg's bank
14 account made out to the claimant.

15 6. Prior to March 2007. The defendant vehicle was not used to transport
16 or sell controlled substance.

17 7. Because of the aforementioned statements claimant would like the
18 defendant vehicle to be released to her.

19 8. The defendant vehicle is presently being stored within the
20 jurisdiction of this court.

21 9. The value of the defendant vehicle is approximately \$20,375.00.
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2 Wherefore the claimant prays that the court release the defendant vehicle
3 and allow it to be declared.
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5 DATED: July 1, 2008
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8 Patience Thornburg
9 Claimant
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